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Local 226*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LISA NIGRELLI, an individual,

Plaintiff,

vs.

VICTORIA PARTNERS d/b/a MONTE CARLO  
RESORT AND CASINO, as the employer;  
CULINARY WORKERS UNION, LOCAL 226;  
and DOES 1-50, inclusive,

Defendants.

CASE NO. 2:15-cv-01840-GMN-NJK

**LOCAL 226's MOTION TO STRIKE  
EXHIBIT 1 TO NIGRELLI'S OPPOSITION  
TO LOCAL 226's MOTION FOR  
SUMMARY JUDGMENT (TRANSCRIPT  
OF LISA NIGRELLI's DEPOSITION)**

Defendant Culinary Workers Union Local 226 moves to strike the transcript of Plaintiff Lisa Nigrelli's deposition, which Nigrelli filed as Exhibit 1 to her Opposition to Local 226's Motion for Summary Judgment.

Nigrelli filed the entire transcript of her deposition, which spans more than 300 pages, but the only pages and lines that Nigrelli cites are ones that Local 226 cited and filed with its Motion for Summary Judgment. As a result, the transcript Nigrelli filed is superfluous. The Court is not obligated to read the entire transcript to determine if any testimony creates a factual dispute, but rather may disregard all uncited lines and pages:

1 The efficient management of judicial business mandates that parties submit evidence  
2 responsibly. . . . [W]hen a party relies on deposition testimony in a summary judgment  
3 motion without citing to page and line numbers, the trial court may in its discretion  
4 exclude the evidence.

5 *Orr v. Bank of Am., NT & SA*, 285 F.3d 764, 774-75 (9th Cir. 2002); *see also Carmen v. San Francisco*  
6 *Unified School Dist.*, 237 F. 3d 1026, 1031 (9th Cir. 2001). Striking the transcript will not prejudice  
7 Nigrelli since she may rely on the pages that Local 226 filed.

8 Striking the transcript is also efficient. As is typical in depositions, Nigrelli's testimony  
9 contains many inadmissible statements. Local 226 could object to each inadmissible statement in the  
10 transcript, Fed. R. Civ. P. 56(c)(2); but those objections would be voluminous and would burden the  
11 Court unnecessarily.

12 For all of the foregoing reasons, Local 226 asks the Court to strike from the record the Exhibit 1  
13 to Nigrelli's Opposition to Local 226's Motion for Summary Judgment.

14 Dated: July 26, 2016

McCRACKEN, STEMERMAN & HOLSBERRY

15 /s/ Kristin L. Martin

Kristin L. Martin

16 *Attorneys for Defendant Culinary Workers Union Local*  
17 *226*

**CERTIFICATE OF SERVICE**

I am employed in the city and county of San Francisco, State of California. I am over the age of eighteen years and not a party to the within action; my business address is: McCracken, Stemerman & Holsberry, 595 Market Street, Suite 800, San Francisco, California 94105.

On this 26th day of July, 2016, I caused to be served a true and correct copy of the above and foregoing:

- **LOCAL 226's MOTION TO STRIKE EXHIBIT 1 TO NIGRELLI'S OPPOSITION TO LOCAL 226's MOTION FOR SUMMARY JUDGMENT (TRANSCRIPT OF LISA NIGRELLI's DEPOSITION)**

via ECF filing, properly addressed to the following:

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d/b/a Monte Carlo Resort and Casino*

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 26th day of July, 2016 at San Francisco, California.

/s/ Suzanne Scanlon  
Suzanne Scanlon